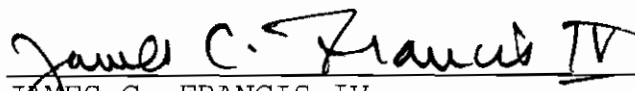


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

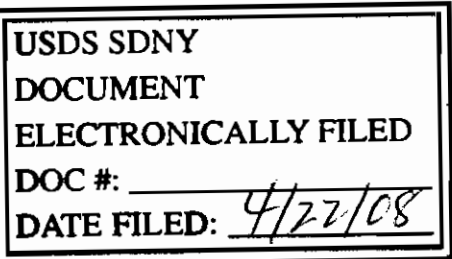
-----:
JUDY CONCEPCION, : 05 Civ. 8501 (RJS) (JCF)
:
Plaintiff, : O R D E R
:
- against - :
:
THE CITY OF NEW YORK, et al., :
:
Defendants. :
-----:
JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Plaintiff having moved by letter dated January 21, 2008 for an order deeming defendants to have admitted certain facts, it is hereby ORDERED that the defendants are deemed to have admitted that they cannot identify any member of the NYPD, except for Officer Alexis Fernandez, who has personal knowledge of individual conduct of plaintiff which served as a basis for plaintiff's arrest. This does not preclude the defendants from presenting evidence that a plaintiff was within a group of individuals allegedly engaged in unlawful activity or from arguing that such evidence is sufficient to demonstrate probable cause.

SO ORDERED.


JAMES C. FRANCIS IV
UNITED STATES MAGISTRATE JUDGE

Dated: New York, New York
April 22, 2008



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